



State of Utah

Department of
Environmental Quality

Richard W. Sprott.
Executive Director

DIVISION OF WATER QUALITY
Walter L. Baker, P.E.
Director

Water Quality Board
Joe Piccolo, *Chair*
Paula Doughty, *Vice-Chair*
David F. Echols
Darrell H. Mensel
LeLand J. Myers
Richard W. Sprott
Jay Ivan Olsen
Gregory L. Rowley
Steven P. Simpson
Merritt K. Frey
Daniel C. Snarr
Phil Wright
Walter L. Baker,
Executive Secretary

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

MINUTES

UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY

UTAH WATER QUALITY BOARD

168 North 1950 West Room 101

Salt Lake City, Utah 84116

Friday, June 20, 2008

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Paula Doughty	Jay Olsen
Leland Myers	Steve Simpson
Darrell Mensel	Joe Piccolo
Gregory Rowley	Dave Echols
Merritt Frey	Rick Sprott
Phil Wright	

ABSENT: Dan Snarr

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Walt Baker, Faye Bell, Ed Macauley, Lisa Nelson, Emily Canton, Leah Ann Lamb, John Whitehead, Mark Stanger, Rob Herbert, Beth Wondimu, Paul Krauth, David Wham, Bill Damery and Bill Moellmer

OTHERS PRESENT

<u>Name</u>	<u>Organization Representing</u>
Don Summit	JBS Swift
Pryor Harrell	AVSMB
Kathy Waddell	GSLA
Richard Bay	JVWCD
Darrel Dixon	Stantec
Cory Angerth	US Geological Survey
Brent Scholes	Coalville City
Louis Cooper	Davis County Environmental Health
Florence Reynolds	SLC Public Utilities
Lisa Kirschner	Parsons Behle & Latimer
Kevin Cowan	North Davis Sewer
Don Leonard	Utah Artemia Association
Dal Wayment	South Davis Sewer District
Kelly Payne	Kennecott
Bruce Waddell	LSL Alliance & Lakefront Duck Club
Robert Whiteley	Coalville City Engineer
Nathan Darnall	U.S. Fish & Wildlife Service

Mark Atencio
Chris Montague
Jim Schwin
Marilyn Payan

JVWCD
The Nature Conservancy
CH2M Hill
JVWCD

Chair Piccolo called the Board meeting to order at 10:10 a.m. He welcomed those in attendance and invited the members of the audience to introduce themselves.

APPROVAL OF MINUTES OF THE MAY 16, 2008 MEETING

Mr. Myers noted a few corrections to the minutes, which included wording in the Executive Secretary's Report and a correction on the date the open house was being held.

Motion: **It was moved by Mr. Olsen and seconded by Mr. Echols to approve the minutes of the May 16, 2008 Board. The motion was unanimously approved with the noted corrections.**

Executive Secretary's Report: Mr. Baker told the Board the Interin Natural Resources, Agriculture and Environment Sub committee met on May 21st and extended Title 19-5, Utah Water Quality Act, for 10 years.

The Division of Water Quality is initiating a study to determine the cost to POTWs of implementing phosphorus and nitrogen permit limits. Nutrient pollution issues are being considered nationally. While there is nothing to suggest that a national or state standard would be instituted, studying the benefit/cost of implementing nutrient standards would be an important consideration.

LOAN PROGRAM

Financial Assistance Status Report – Ms. Canton updated the Board on the “Summary of Assistance Program Funds,” as outlined on page 2.1.

Coalville request for a Hardship Planning Advance: Ms. Nelson introduced Brent Scholes and Dennis Gunn of Coalville City and Robert Whiteley with J-U-B Engineering. Coalville City requests a hardship planning advance in the amount of \$100,000 to prepare items required by the Bureau of Reclamation (BOR) to purchase property at the current treatment plant site. Coalville wastewater treatment plant was built on land owned by a federal agency and is leased back to the city. This lease will expire in 2014. An advance is requested as it is expected that the city will request a loan from the Water Quality Board in the future to finance the land purchase. Staff recommends this hardship planning advance to assist Coalville City in completing the items and tasks required by the BOR in order for Coalville to purchase the land where its wastewater treatment plant is currently sited.

Motion: **It was moved by Mr. Myers to approve staff's recommendation to provide Coalville City a Hardship Planning Advance in the amount of \$100,000 subject to the condition that the Advance must be repaid at the time of land purchase, but in no case later than January 1, 2014. The motion was seconded by Ms. Frey and was approved.**

Ashley Valley Sewer Management Board request for Hardship Planning Grant: Ms. Wondimu introduced Pryor Harrell with Ashley Valley Sewer Management Board (AVSMB). AVSMB is requesting a Planning Grant in the amount of \$45,000 to expand its ongoing Sewer Master Plan Study to include communities outside of its service area. AVSMB's service area covers only portions of the Ashley Valley

and many areas outside of the service area are also experiencing significant growth. Because of this, it is recommended that the study area be expanded to the entire Ashley Valley. Staff recommends a planning grant for this project, and the work would be performed in an area with no current customer base for AVSMB. The study would provide the County Commission better insight into the Valley's current and future sewer needs and would aid the County in making more informed planning decisions.

MOTION: It was moved by Ms. Doughty to approve staff's recommendation for a hardship planning grant in the amount of \$45,000. The motion was seconded by Mr. Myers and was unanimously approved.

OTHER BUSINESS:

"Long-term ground water monitoring in Utah: water quality, water levels, and withdrawals": Mr. Ageroth from the US Geological Survey gave a brief presentation on the new monitoring network, including any water quality and water quantity trends that have been observed.

Proposed Revisions to R317-2, *Standards of Quality for Waters of the State*: Mr. Moellmer explained to the Board that the Division has been heavily engaged in performing the triennial review of Utah's water quality standards. In early 2007 a "Water Quality Standards Workgroup", was established. The effort was immensely helpful and yielded improvements in the process and the recommendations for changes in the standards. Staff recommends the Board initiate rulemaking on *R317-2 Standards of Quality for Waters of the State*, to solicit and receive public comment. As part of the rule making two public hearings will be held, one in Price and another in Salt Lake City.

MOTION: It was moved by Mr. Myers to approve staff's request to proceed to rulemaking with noted changes. The motion was seconded by Mr. Echols and was unanimously approved.

Proposed Selenium Standard for the Great Salt Lake: Mr. Moellmer directed the Board's attention to the study included in the packet entitled, "Development of a Selenium Standard for the Open Waters of the Great Salt Lake". This report describes the overall program for development of the selenium standard and focuses specifically on the research program conducted to provide information to support that standard. Three position papers have been submitted to present their view on what the tissue based standard should be: 1) Nathan Darnel presented the "Recommendation for a "No Effect" Selenium Standard for the Great Salt Lake" and recommended the Board to adopt a selenium standard for the Great Salt Lake of 5 mg/kg dry weight; 2) Don Leonard presented "*Setting a Water Quality Standard for Selenium that is protective of the Brine Shrimp Resources Recommendations*". The brine shrimp industry argue that without a protective avian tissue standard, a separate brine shrimp standard, or, at the least, a mandatory brine shrimp tissue based monitoring program with actionable triggers, there would be unacceptable risks to the GLS brine shrimp resource. Don recommended an avian tissue concentration standard for selenium of 10.4 mg/kg; or less; 3) Richard Bay presented the position paper, "*Great Salt Lake Water Quality Steering Committee Majority Recommendation for a numeric selenium standard in the open waters of Great Salt Lake*". Ten members of the 16-member Great Salt Lake Water Quality Steering Committee recommended that the numeric selenium standard should be 12.5 mg/kg dry weight. After an extensive discussion the Board agreed to accept the majority recommendation and take the standard out for public comment using the 12.5 mg/kg standard. The Board also recommend that staff meet with representatives from the Brine Shrimp industry to determine how best to address their concerns.

MOTION: It was moved by Mr. Myers to use a selenium standard of 12.5 mg/kg to solicit public comment and to proceed to rulemaking. The motion was seconded by

Mr. Simpson and was approved to proceed to rulemaking, with Ms. Doughty and Ms. Frey objecting.

NEXT MEETING:

Thursday, August 7, 2008 in Room 101 at the DEQ Building. The work meeting will begin at 9:00 AM followed by the formal Board meeting scheduled to begin at 10:00 AM.

Joe Piccolo, Chairman
Utah Water Quality Board